

IN THE HIGH COURT OF KARNATAKA AT BANGALORE  
DATED THIS ~~THE~~ 8TH DAY OF MAY, 1998

BEFORE

THE HON'BLE MR. JUSTICE M.P.CHINNAPPA  
CIVIL REVISION PETITION NO: 1374/1998

BETWEEN:

1. Subramani,  
s/o Perumalappa  
29 years.

2. Venkatappa  
s/o late Narayanappa

Both are residing at  
Araleri, Malur taluk

PETITIONERS

(By Sri.M.V.Sheshachala, Adv.,)

AND:

1. venkateshappa  
s/o Shettappa

2. Srinivasappa  
s/o Shettappa

Both are majors  
residing at Araleri,  
Malur Taluk.

RESPONDENTS

This petition is filed against the order  
dtd. 24-4-1998 passed in M.A.No.1/1997 on the  
file of the Vacation District Judge, Kolar .

This petition coming on for admission this day,  
the Court made the following:-

ORDER ....



ORDER

Heard the learned counsel for the petitioners.

2. The grievances of the petitioners are that the Vacation District Judge, Kolar <sup>has</sup> passed an interim order in favour of the respondents notwithstanding the fact that the caveat petition was filed by the petitioners. It is also submitted that the appeal filed by the appellants-respondents was barred by time. Without considering these two aspects, the learned District Judge has passed an interim order in favour of the respondents. Under that extra-ordinary circumstance, it is necessary to invoke Section 151 CPC to grant relief to the petitioners.

Hence, I.A.I is considered and interim stay is granted to stay the operation of the order dated 24.4.1998 passed in M.A.No.1/98 on the file of the Vacation District Judge, Kolar. The petitioners <sup>are</sup> further directed to approach the same Court with necessary application to recall the order.

The stay order granted by this Court is operative only till the order is passed by the District Judge in M.A.No.1/98. *on the application being filed by petitioner* With these observations, the petition is disposed of. *e*

Sd/-  
JUDGE